IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3049 OF 2007.

Baburao Shankarrao Rane and others. ... Petitioners.
Versus.
Assistant Registrar for Cooperative Societies, Radhanagari, Dist.Kolhapur, and others. ... Respondents.

Shri P.D.Dalvi for the Petitioners.

Ms.Mhaispurkar, A.G.P. for the Respondents.

Shri Amit Borkar for the Intervenors.

CORAM : ABHAY S.OKA, J.

DATED : 3rd May, 2007.

P.C.:

1. Not on board. By consent, taken on board.

2. Heard the learned Counsel appearing for the Petitioner, the learned A.G.P. for the 1st to 4th Respondents and the learned Counsel for the Intervenors.

3. Substantive appeal preferred by the Petitioners for challenging an order of appointment of the Administrator is still pending. The Application for interim relief filed by the Petitioners has not been considered on merit by the Appellate Authority.

4. Interests of justice will be served if the Appellate Authority is directed to decide the Appeal within a time bound schedule. Protection granted by this Court will have to be continued till the appeal is decided.

5. Hence the writ petition is disposed of by passing the following order:

(i) The Appellate Authority will decide the Appeal preferred by the Petitioners as expeditiously as possible and preferably within a period of four weeks from the date of production of an authenticated copy of this order.

(ii) Ad-interim relief granted by this Court on 19th April 2007 will continue to operate till the final disposal of the Appeal.

(iii) In case the order passed in Appeal is adverse to the Petitioners, ad-interim relief granted by this Court will continue to operate for a period of two weeks from the date of communication of the order of the Appellate Authority to the Petitioner.

(iv) All contentions of the parties on merits are kept open.

(v) Writ petition is disposed of in the above terms with no order as to costs.

Judge.